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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/083,515

02/27/2002

Hiroyuki Morita

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7590

04/18/2003

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EXAMINER

CHEN, SHIH CHAO

ART UNIT

PAPER NUMBER

2821

DATE MAILED: 04/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/083,515

Applicant(s)

MORITA, HIROYUKI

Examiner

Shih-Chao Chen

Art Unit

2821

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-7 is/are allowed.
- 6) ☒ Claim(s) 1 and 8 is/are rejected.
- 7) ☒ Claim(s) 9-13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. In response to the communication dated February 27, 2002 through May 2, 2002, claims 1-13 are active in this application.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

3. The information disclosure statement (IDS) filed on February 27, 2002 has been considered.

Oath/Declaration

4. Oath/Declaration filed on May 2, 2002 has been considered.

Drawings

5. Figure 4 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

6. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fry (U.S. Patent No. 6,148,262) in view of Chatzipetros et al. (U.S. Patent No. 6,295,033).

Regarding claim 1, Fry teaches in figures 1-4 a GPS antenna unit for receiving a radio wave from a GPS satellite, comprising: a unit case [104] including an interior portion and an exterior surface; an antenna [130]; and a controller [220] accommodated within the interior portion of the unit case [104] for processing radio waves received by the antenna.

Regarding claim 8, Fry teaches in figures 1-4 a GPS antenna unit for mounting on a vehicle [102] for receiving a radio wave from a GPS satellite, comprising: a unit case [104] including an interior portion and an exterior surface, an antenna [130]; a controller [220] accommodated within the interior portion of the unit case [104] for processing the radio wave received by the antenna [130]; and a component [106] secured to the vehicle [102], the component [106] including a space for positioning the unit case [104] with the antenna [130] being exposed for receiving radio waves; wherein the component [106] for the vehicle [102] positions the unit case [104] in a predetermined posture for orienting the antenna [130] to face a zenith when the unit

case [104] is secured to the component [106] and the component [106] is attached to the vehicle [102] in a regular posture thereof.

Fry teaches every feature of the claimed invention except for the helical antenna extending from the exterior surface of the unit case.

Chatzipetros et al. teaches in figures 1-8 the helical antenna [22] (See FIG. 6) extending from the exterior surface of the unit case [30].

It would have been obvious to one having ordinary skill in the art at the time the invention was made to substitute the antenna as shown in Fry by using the helical antenna as taught by Chatzipetros et al. in order to provide the antenna system can be used to receive satellite digital audio service and transfer the signal to a satellite radio receiver inside the vehicle (See Abstract).

Allowable Subject Matter

9. Claims 2-7 are allowed.

10. Claims 9-13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record neither teach nor make it obvious the claimed limitation of the instant application as a whole as recited in claim 2. In particular, the prior art does not teach or suggest a component for two-wheeled motor vehicle, the component holding the unit case. The dependent claims are allowable for at least the above reason.

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The prior art of record neither teach nor make it obvious the claimed limitation of the instant application as a whole as recited in claim 8. In particular, the prior art does not teach or suggest the unit case is positioned within a casing for the mirror or the unit case is mounted inside the cowl or the unit case is mounted inside the fender or unit case is positioned within a casing for the headlight or the unit case is positioned within a casing for the meter panel.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shih-Chao Chen whose telephone number is (703) 306-2721. The examiner can normally be reached on Monday-Friday from 7 AM to 4:30 PM, First Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (703) 308-4856. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-5841 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

shih-chao chen

Shih-Chao Chen
Examiner
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April 8, 2003